

Division 2. Department of Conservation  
Chapter 1. Department of Conservation – Conflict of Interest Code

§ 1670. General Provisions.

The Political Reform Act (Government Code Section 81000, et seq.), requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation (2 Cal. Code of Reg. Sec. 18730) which contains the terms of a standard conflict of interest code, which can be incorporated by reference in an agency's code. After public notice and hearing it may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of 2 California Code of Regulations Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This regulation and the attached Appendix designating officials and employees and establishing disclosure categories shall constitute the conflict of interest code of the Department of Conservation.

Designated employees shall file statements of economic interests with the agency. Upon receipt of the statements of the Director and members of Boards and Commissions, the agency shall make and retain a copy and forward the originals of these statements to the Fair Political Practices Commission. Statements for all other designated employees will be retained by the agency which shall make statements available for public inspection and reproduction.

Note: Authority cited: Sections 87300 and ~~87304~~ [87306](#), Government Code. Reference: Sections 87300, et seq., Government Code.

History

1. New Chapter 1 (Sections 1670-1675) filed 4-7-78; effective thirtieth day thereafter. Approved by Fair Political Practices Commission 7-6-77 (Register 78, No. 14).
2. Repealer of Chapter 1 (Sections 1670-1675) and new Chapter 1 (Section 1670 and Appendix) filed 2-26-81; effective thirtieth day thereafter. Approved by Fair Political Practices Commission 12-1-80 (Register 81, No. 9).
3. Repealer of Appendix and new Appendix A filed 7-15-83; effective thirtieth day thereafter. Approved by Fair Political Practices Commission 6-6-83 (Register 83, No. 29).
4. Amendment of Appendix filed 7-14-89; operative 8-13-89. Approved by Fair Political Practices Commission 6-2-89 (Register 89, No. 29).
5. Amendment of section and Appendix filed 6-19-95; operative 7-19-95. Submitted to OAL for printing only pursuant to Government Code section 11346.2 (Register 95, No. 25).
6. Amendment of Appendix filed 11-23-98; operative 12-23-98. Approved by Fair Political Practices Commission 9-30-98 (Register 98, No. 48).

## Appendix A

### Designated Employees Under the Conflict of Interest Code of the Department of Conservation

The following individuals are hereby required to file Statements of Economic Interest in accordance with the disclosure category indicated:

#### Exempt and Executive

<i>Position</i>	<i>Disclosure Category</i>
Director.....	1
Chief Deputy Director.....	1
Deputy Director.....	1
Members, State Mining and Geology Board.....	1
Special Representative, <a href="#">Executive Officer</a> , State Mining and Geology Board.....	3
Designation Coordinator.....	3
Public Information, Officer III Director, Public Affairs Office.....	1
Assistant Director, Policy and Planning .....	1
Assistant Director, Division of Recycling.....	1
<a href="#">Equal Employment Opportunity and Strategic Planning Officer</a> .....	1
<a href="#">Retired Annuitant</a> .....	1

#### Office of Mine Reporting and Reclamation Compliance

Chief, Assistant Director, Office of Mine Reporting and Reclamation Compliance ....	1
Program Manager, for Mined Land Reclamation <a href="#">Unit</a> .....	3 1
<a href="#">Manager, Abandoned Mine Lands Unit</a> .....	1
<a href="#">Manager, Reporting and Compliance Unit</a> .....	1
All Staff Performing SMARA Compliance ( <a href="#">Reporting and Compliance Unit</a> ).....	3 1
Environmental Specialist.....	3

#### Legal Office

Administrative Advisor <a href="#">Chief Counsel</a> .....	1
<a href="#">Senior Staff Counsel</a> .....	1
Staff Counsel.....	1
<a href="#">Retired Annuitant</a> .....	1

#### Office of Governmental and Environmental Relations

Assistant Director, Office of Governmental and Environmental Relations.....	1
Environmental Coordinator.....	1

## **Public Information Office**

<u>Communications Director.....</u>	<u>1</u>
<u>Staff Services Analyst.....</u>	<u>1</u>
<u>Recycling Specialist.....</u>	<u>1</u>

## **Division of Land Resource Protection**

Assistant Director, <u>Division of</u> Land Resource Protection.....	1
<del>Land Conservation Manager.....</del>	<del>1</del>
<u>Associate Environmental Planner.....</u>	<u>6</u>

### California Farmland Conservancy Program

<u>Senior Land and Water Use Analyst.....</u>	<u>1</u>
<u>Research Analyst .....</u>	<u>6</u>
<u>Associate Governmental Program Analyst.....</u>	<u>6</u>
<u>Associate Land and Water Use Analyst.....</u>	<u>6</u>
<u>Associate Land Agent.....</u>	<u>6</u>

### Resource Conservation District Assistance Program

<u>Environmental Scientist.....</u>	<u>6</u>
<u>Associate Governmental Program Analyst.....</u>	<u>6</u>

### Farmland Mapping and Monitoring Program

<u>Senior Land And Water Use Analyst.....</u>	<u>1</u>
<del>Farmland Mapping and Monitoring Manager.....</del>	<del>1</del>

### Williamson Act Program

<u>Environmental Program Manager .....</u>	<u>1</u>
<u>Staff Environmental Scientist.....</u>	<u>6</u>
<u>Associate Environmental Planner.....</u>	<u>6</u>
<u>Associate Governmental Program Analyst.....</u>	<u>6</u>
<u>Research Analyst.....</u>	<u>6</u>

## **Division of Administration**

<u>Assistant Director, Administration.....</u>	<u>1</u>
<del>Museum Director.....</del>	<del>1</del>
Accounting Administrator.....	2
<u>Accounting Officer.....</u>	<u>2</u>
Budget Officer.....	21
<u>Program Budget Specialist.....</u>	<u>2</u>

Personnel Officer.....	2
<a href="#">Chief, Human Resources.....</a>	<a href="#">2</a>
<a href="#">Assistant Chief, Human Resources.....</a>	<a href="#">2</a>
Administrative Services Officer.....	2
Business Services Officer ( <a href="#">Supervisor</a> ).....	2
All Accounting Officers.....	2
Data Processing Manager.....	2

### **Office of Technology Services**

<a href="#">Assistant Director, Office of Technology Services.....</a>	<a href="#">2</a>
<a href="#">Manager for Applications Development.....</a>	<a href="#">2</a>
<a href="#">Manager of Operations.....</a>	<a href="#">2</a>
<a href="#">Systems Network Administrator.....</a>	<a href="#">2</a>
<a href="#">Geographic Information Systems Support Lead.....</a>	<a href="#">2</a>

### **Division of Mines and Geology [California Geological Survey](#)**

State Geologist.....	1
Principal Geologists.....	1
Supervising Geologist.....	2 and 3
Program Planning Officer.....	2 and 3
Program Managers for:	
North SMARA.....	3
South SMARA.....	3
Earthquake Engineering.....	3
Geologic Hazards Assessment.....	3
Environmental Protection.....	3
All Professional Environmental Impact Report and Site Review Staff in Advisory Services Unit.....	3
Southern CA Geohazards Expert in Tectonic Mapping Unit.....	3
<a href="#">Senior Geologist.....</a>	<a href="#">2</a>
<a href="#">Staff Services Manager.....</a>	<a href="#">2 and 3</a>

### **Seismic Hazards Mapping Program**

<a href="#">Senior Engineering Geologist.....</a>	<a href="#">2 and 3</a>
<a href="#">Engineering Geologist.....</a>	<a href="#">2 and 3</a>
<a href="#">Research Manager.....</a>	<a href="#">2</a>

### **Regional Geologic and Hazards Mapping Program**

<a href="#">Senior Geologist.....</a>	<a href="#">2 and 3</a>
<a href="#">Senior Seismologist.....</a>	<a href="#">2 and 3</a>
<a href="#">Senior Engineering Geologist.....</a>	<a href="#">2 and 3</a>

### Timber Harvest Program Enforcement & Watershed Restoration Program

<u>Senior Engineering Geologist.....</u>	<u>2 and 3</u>
<u>Engineering Geologist.....</u>	<u>2 and 3</u>

### Strong Motion Instrumentation/Earthquake Engineering Program

<u>Staff Electronics Instrumentation Engineer.....</u>	<u>2</u>
<u>Senior Civil Engineer.....</u>	<u>2</u>
<u>Senior Seismologist.....</u>	<u>2</u>

### Mineral Resources Program

<u>Senior Geologist.....</u>	<u>2 and 3</u>
<u>Engineering Geologist.....</u>	<u>2 and 3</u>

## **Division of Oil, Gas, and Geothermal Resources**

State Oil and Gas Supervisor.....	1
Chief Deputy Oil and Gas Supervisor.....	1
District Oil and Gas Supervisors.....	2 and 5
Geothermal Officer.....	2 and 4
Technical Services Manager.....	2 and 4
Legislative, Regulation and Environmental Review Specialist.....	4
All Staff Performing Permitting and Surveillance, Investigations, Inspections or Regulation Enforcement.....	4
<u>Supervising Oil &amp; Gas Engineers.....</u>	<u>2 and 4</u>
<u>Senior Oil &amp; Gas Engineers.....</u>	<u>2 and 4</u>
<u>Associate Oil &amp; Gas Engineers.....</u>	<u>4</u>

## **Division of Recycling**

<u>Assistant Director, Division of Recycling.....</u>	<u>1</u>
Deputy Chief, Division of Recycling.....	1
<u>All Branch Managers For: <u>and Supervisors</u>.....</u>	<u>1</u>
Internal Review.....	
<del>Market Research and Rate Determinations</del> .....	<del>1</del>
Enforcement.....	1
Industry Services.....	1
Audits.....	1
Community Outreach.....	1
Section Supervisors—Specialists—Managers For:	
Internal Review.....	1
<del>Market Research and Rate Determinations</del> .....	<del>1</del>
Enforcement.....	1
Industry Services.....	1
Audits.....	1

Community Outreach.....	1
Technical Analysis Specialists, [Recycling Specialist III (Technical)] .....	1
All Staff Performing Audits, Eligibility Determinations Certification Application Review and Inspections.....	5

All employees in the following Division of Recycling classifications or series:

Environmental Program Manager (non-supervisory).....	5
Management Services Technician.....	5
Staff Services Analyst.....	5
Associate Governmental Program Analyst.....	5
Recycling Specialist...(non-supervisory).....	5
Auditor.....	5
Research Analyst.....	5
Research Program Specialist.....	5
Graphic Designer.....	5
Environmental Scientist.....	5
Retired Annuitant .....	5

### Consultants

Consultants ( <u>Department-wide</u> ).....	1
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Consultants are “designated employees” for the purposes of these provisions and shall disclose pursuant to the broadest disclosure category in the Code, subject to the following limitation: The Director may determine in writing that a particular consultant, although a “designated employee,” is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements described in the Code. This written determination shall include a description of the consultant’s duties and, based upon that description, a statement of the extent of disclosure required. The Director’s determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code.

### **Department of Conservation Disclosure Categories**

~~Consultants shall disclose pursuant to the broadest disclosure category in the code subject to the following limitations:~~

~~The Director may determine in writing that a particular consultant, although a designated “employee” is hired to perform a range of duties that are limited in scope and thus not required to comply with the disclosure requirements described in this section. Such determination shall include a description of the consultant’s duties and, based upon that description, a statement of the extent of disclosure requirements. The determination of the Executive Director is a public record and shall be retained for public inspection in the same manner and location as this conflict of interest code. Nothing herein excuses any such consultant from any other provisions of this Conflict of Interest Code.~~

Category 1:

~~Every person~~ [A designated employee](#) in this category must report all investments, [business positions](#), interests in real property, [and sources of](#) income, and any business entity in which the person is a director, officer, partner, trustee, employee, or holds any position of management.

Category 2:

Every person [A designated employee](#) in this category must report investments and business positions in, and income from any business entity of the type ~~which~~ [that](#) provide services, supplies, materials, machinery or equipment of the type used by the Department of Conservation.

Category 3:

Every person [A designated employee](#) in this category must report interests, investments and business positions in and income from any business entity of the type ~~which~~ [that](#) may be affected by or subject to any provisions, guidelines, rules, regulations or policies adopted, enforced or promulgated by ~~either the Division of Mines and Geology~~ [California Geological Survey, the Office of Mine Reclamation](#), or the State Mining and Geology Board. This includes, but is not limited to, business entities engaged in real estate development, mining, quarrying, mineral refining or smelting operations, logging operations, geothermal and petroleum development, or public utility facility development; or the manufacturing, distribution, sale, repair or advertising of products for use in exploration, development and design criteria, and construction of facilities and projects involving siting investigations or land use.

Category 4:

Every person [A designated employee](#) in this category must report investments, interests and business positions in, and income from any business entity of the type ~~which~~ ~~my~~ [that may](#) be affected by or subject to any provisions, guidelines, rules, or policies adopted, enforced or promulgated by the Division of Oil, Gas, and Geothermal Resources. This includes, but is not limited to, business entities of the type that are regularly engaged in the extraction and/or production of oil, gas or geothermal resources; or providing consulting, research or other contractual services to companies sponsoring such developments; or the manufacturing, distribution, sale, repair or advertising of products for use in exploration, development and design criteria, and construction of facilities and projects involving siting investigations and [or](#) land use.

Category 5:

~~Every person in this category must report all investments in, income from, and positions held with business entities and persons whose claims have been audited by the filer or in which the filer has performed an eligibility determination, certification, application review, or inspection, during the reporting period. If the employee has not participated in any such assignment during the course of the reporting period in which he or she has a financial interest, then the employee shall sign a statement to that effect under penalty of perjury. Such statement shall be filed and processed as though it were the disclosure statement required by the Code. An employee who has participated in an assignment as described above, in which he or she has a financial interest shall disclose that interest as described above, but such statement shall be delivered to the filing officer who will file the statement as a public record.~~

[A designated employee in this category must divulge investments, business positions and income, including gifts, loans and travel payments, from sources that:](#)

- (1) are subject to the regulatory, certification, registration, or licensing authority of the Division of Recycling;
- (2) are a source of providing leased facilities, goods, equipment, vehicles, machinery or services, including training or consulting services of the type used by the Division of Recycling;
- (3) are recipients of grants, or program payments from the Division of Recycling, and/or subjects of collection activity by the Division of Recycling.

#### Category 6

A designated employee in this category must divulge all investments, interests in real property, business positions, and income, gifts, loans and travel payments from sources of the type that are involved in the Williamson Act program or are recipients of grants from the Division of Land Resources Protection.

Authority: Gov Code Sections 87300 and 87306.

Reference: Gov. Code Sections 87300-87302 and 87306